

**Probate Committee  
Judicial Conference of Indiana**

April 4, 2003  
Minutes

1. Members present. The following members of the committee were present: Larry Bradley, J. Terrence Cody, Barbara Harcourt, Peter Nemeth, and Chris Monroe, Chair.
2. Staff presence. Michelle Goodman provided the Committee with staff assistance.
3. Approval of minutes. The committee approved the minutes from the December 12, 2002 meeting.
4. Deskbook update. Each member received copies of the remaining draft revisions. The committee spent some time discussing and reviewing the Wrongful Death section to reflect statutory changes. The committee also agreed to review the Deskbook sections and volunteered to complete specific sections. The committee decided that any questions or suggestions be directed to author of the section and then sent to Michelle to make any changes. Michelle reported that some of the forms in the Deskbook came from the Clerk's Association. Michelle was also asked to check with the Clerk's Association to see if they have any updated forms and provide them to the section authors to determine whether or not the forms should be incorporated. The Committee also decided that the tab referencing Probate Rules and Fee Determinations be placed at the end of the Revised Deskbook.

<u>Section</u>	<u>Author (email)</u>	<u>Reviewing Member</u>
1.01-1.70	Judge Cody ( <a href="mailto:circuit@floydcounty.in.gov">circuit@floydcounty.in.gov</a> )	Judge Monroe
1.80	Judge Harcourt ( <a href="mailto:rushcircuit@cnz.com">rushcircuit@cnz.com</a> )	Judge Monroe
2.01-2.60	Judge Nemeth ( <a href="mailto:judgenemeth@jjconline.org">judgenemeth@jjconline.org</a> )	Comm. Bradley
3.00	Judge Harcourt	Judge Nemeth
5.00	Comm. Bradley ( <a href="mailto:lbradley@indygov.org">lbradley@indygov.org</a> )	Judge Harcourt
6.00	Comm. Bradley	Judge Cody
7.00	Judge Monroe ( <a href="mailto:cmonroe@bartholomewco.com">cmonroe@bartholomewco.com</a> )	Judge Harcourt

5. ISBA report. Judge Monroe reported to the Committee regarding a letter he received which outlines the sections agenda, including continue review of the Uniform Trust Code.

The next section council meeting will be on May17, 2003 at 11 a.m. at the Sheraton located at Keystone at the Crossing. Judge Monroe indicated he might attend that meeting. Judge Cody volunteered to attend the ISBA Spring Meeting.

6. Legislation Update. Michelle distributed copies of House Bills 1115, 1116, 1117, and 1368. Michelle reported that HB 1115, 1116, and 1117 were legislation that went through the Probate Code Study Commission this summer and have passed both houses. These bills are now awaiting the Governor's signature. HB 1368 did not go through the Probate Code Study Commission, which has passed both houses and returned to the House with amendments.



7. Maximum Fee Guidelines. The committee discussed the fee guidelines and the Inlow case regarding fees. Judge Nemeth reported that he is still waiting for a recommendation from his Local Bar Association and then will report back to the committee.
8. Local Probate Rules. Judge Monroe reported that he received documents from the committee reviewing local rules and the committee agreed to defer action until the other committee completes its work.
9. Next meeting. The next meeting will be held on June 20, 2003 at 1:30 p.m. at the Judicial Center.

Respectfully Submitted,

Michelle C. Goodman  
Staff Attorney